

STEPHENS *et al.*  
Application No.: 09/438,185  
Page 3

Please cancel "Table 3", pages 73-122, in favor of the Substitute Sequence Listing submitted herewith.

B3 Please cancel the present "SEQUENCE LISTING", pages 1-1260, and insert therefor the accompanying paper copy of the Substitute Sequence Listing, page numbers 1 to 1319, at the end of the application.

In the Claims:

Please amend claim 1 as follows:

- B4
1. (Amended) An isolated nucleic acid encoding a *C. pneumoniae* protein as set forth in SEQ ID NOS:2-1074.

REMARKS

This amendment cancels Table 3 which provides amino acid sequences of the proteins corresponding to coding sequences in SEQ ID NO:1. These sequences are identical to those found in the Substitute Sequence Listing submitted herewith. Compared to the Sequence Listing originally submitted on October 20, 2000, the Substitute Sequence Listing has only had the "Gene #" from Table 2 added as a Feature to each of SEQ ID NOS:2-1074 for clarity.

Applicants request entry of this amendment in adherence with 37 C.F.R. §§1.821 to 1.825. This amendment is accompanied by a floppy disk containing the above named sequences, SEQ ID NOS:1-1074, in computer readable form, and a paper copy of the sequence information which has been printed from the floppy disk.

The information contained in the computer readable disk was prepared through the use of the software program "FastSEQ" and is identical to that of the paper copy. This amendment contains no new matter.


PATENT

STEPHENS *et al.*  
Application No.: 09/438,185  
Page 4

Attached hereto is a marked-up version of the changes made to the Specification and Claims by the current Amendment. The attached pages are captioned **"VERSION WITH MARKINGS TO SHOW CHANGES MADE."**

If the Examiner believes a telephone conference would expedite prosecution of this application, please telephone the undersigned at 415-576-0200.

Respectfully submitted,

  
Kevin L. Bastian  
Reg/No. 34,774

TOWNSEND and TOWNSEND and CREW LLP  
Two Embarcadero Center, 8<sup>th</sup> Floor  
San Francisco, California 94111-3834  
Tel: (415) 576-0200  
Fax: (415) 576-0300  
KLB:dmw

**VERSION WITH MARKINGS TO SHOW CHANGES MADE**

Paragraph beginning at line 14 of page 12 has been amended as follows:

The present invention provides the nucleotide sequence of the *C. pneumoniae* genome SEQ ID NO: 1 or a representative fragment thereof, in a form which can be readily used, analyzed, and interpreted by a skilled artisan. As used herein, a "representative fragment" of the nucleotide sequence depicted in SEQ ID NO: 1 refers to any portion which is not presently represented within a publicly available database. Preferred representative fragments of the present invention are open reading frames, expression modulating fragments, uptake modulating fragments, and fragments which can be used to diagnose the presence of *C. pneumoniae* in sample. Using the information provided in the present application, together with routine cloning and sequencing methods, one of ordinary skill in the art will be able to clone and sequence all "representative fragments" of interest including open reading frames (ORFs) encoding a large variety of *C. pneumoniae* proteins. A non-limiting identification of such preferred representative fragments is provided in Table 2 (see Sequence Listing, SEQ ID NOS:2-1074) ~~Tables 2 and 3 (SEQ ID NOS:2-1074).~~

Paragraph beginning at line 29 of page 35 has been amended as follows:

Table 1 provides functional assignments of *C. pneumoniae* nonprotein-encoding genomic sequences. Table 2 provides functional assignments of protein coding sequences. The Sequence Listing ~~Table 3~~ provides the amino acid sequences of the proteins corresponding to the coding sequences (SEQ ID NOS:2-1074).

In the Claims:

Claim 1 has been amended as follows:

1. (Amended) An isolated nucleic acid encoding a *C. pneumoniae* protein  
as set forth in SEQ ID NOS:2-1074 ~~Table 3~~.